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Docket No.: 42390.P2319R

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re the application of: )  
)  
Marisetty )  
)  
Serial No.: 09/224,620 ) Examiner: Auve, G.  
)  
Reissue of US Patent 5,590,342 )  
)  
Filed: 12/31/98 ) Art Unit: 2111  
)  
For: Method and Apparatus for Reducing Power )  
Consumption in a Computer System Using )  
Virtual Device Drivers )

**APPELLANT'S REPLY BRIEF / AMENDMENT AFTER APPEAL**  
**37 CFR §§ 41.41, 41.33**

Hon. Commissioner of  
Patent & Trademarks  
Washington, D.C. 20231

Dear Sir:

Appellant hereby submits this Amendment and Reply Brief in response to the  
Supplemental Examiner's Answer (Paper No. 28), mailed 1/11/2005.

I hereby certify that this correspondence is being deposited  
with the United States Postal Service as first class mail with  
sufficient postage in an envelope addressed to the Commissioner  
for Patents, PO Box 1450, Alexandria, Virginia 22313-1450

on March 10, 2005  
Date of Deposit  
Conny Willesen  
Name of Person Mailing Correspondence  
Conny Willesen 3-10-05  
Signature Date

In the Claims

Please cancel claim 57 without prejudice.

Remarks

In order to expedite issuance of this case, Applicant has canceled claim 57 without prejudice. Under 37 CFR § 41.33(b)(1), such claim cancellations are permissible at this point in this appeal as the cancellation of claim 57 does not affect the scope of other claims.

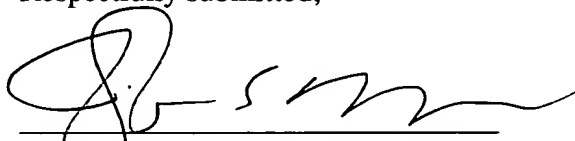
Under 37 CFR § 1.173(b)(2), applicant believes that cancellation of claim 57 can be effected by the simple statement above. Likewise, it appears that a complete listing of claims is not required in a reissue application because § 1.173 not so require and under 37 CFR § 1.121(i), § 1.173 governs. If applicant has erred in this understanding, applicant will gladly reformat the above amendment as needed.

Conclusion

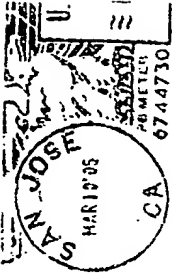
Appellant submits that all claims now pending are in condition for allowance. Such action is earnestly solicited at the earliest possible date. If there is a deficiency in fees, please charge our Deposit Acct. No. 02-2666.

Respectfully submitted,

Date: 3/7/05

  
Jeffrey S. Draeger, Reg. No. 41,000

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